

Message Text

LIMITED OFFICIAL USE

PAGE 01 KIGALI 01632 081740Z

ACTION AF-10

INFO OCT-01 ISO-00 AID-05 HA-05 CIAE-00 DODE-00 PM-05

H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 /067 W

-----103893 081900Z /47

R 021346Z DEC 77

FM AMEMBASSY KIGALI

TO SECSTATE WASHDC 5534

INFO AMEMBASSY NAIROBI

LIMITED OFFICIAL USE KIGALI 1632

NAIROBI FOR REDSO/EA

JOINT STATE/AID MESSAGE

E.O. 11652: N/A

TAGS: SYUM, RW

SUBJECT: HUMAN RIGHTS : TRAINING RWANDANS TO ADMINISTER
THE LAW

REF: KIGALI 879

SUMMARY: ELEMENTAL TO RESPECT FOR HUMAN RIGHTS IS A
TRAINED JUDICIARY THAT KNOWS AND UNDERSTANDS THOSE
RIGHTS. RWANDA'S JUDGES AND JUDICIAL OFFICIALS ARE
ABYSMALLY UNDERTRAINED IN THE LAW THEY ARE SUPPOSED TO
ADMINISTER, AND GOR WANTS TO DO SOMETHING ABOUT IT.
PLACING PROBLEM IN CONTEXT OF OUR HUMAN RIGHTS CONCERNS,
WHICH HE SHARES, PRESIDENT HAS ASKED OUR HELP IN
ESTABLISHING "NATIONAL JUDICIARY TRAINING CENTER" AT COST
OF ABOUT DOLS 500,000. I BELIEVE PROJECT HAS GREAT MERIT
AND REQUEST ADVICE ON HOW TO RESPOND. END SUMMARY.

1. IN NUMEROUS CONVERSATIONS ON HUMAN RIGHTS THEMES

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 KIGALI 01632 081740Z

DURING PAST YEAR, RWANDANS -- BOTH PRIVATE AND PUBLIC --
HAVE DRAWN MY ATTENTION TO PROBLEM OF ENSURING RESPECT FOR
HUMAN RIGHTS AMONG A JUDICIARY VIRTUALLY UNTRAINED AND WITH
ONLY SCANT KNOWLEDGE OF THE LAWS THEY ARE EXPECTED TO UPHOLD
AND ENFORCE. CONSTITUTION AND LAWS ON THE BOOKS, THEY
POINT OUT, PLACE HIGH VALUE ON PROTECTING RIGHTS OF
INDIVIDUAL. BUT SUCH LAWS COUNT FOR LITTLE AMONG JUDGES

AND LAW ENFORCEMENT OFFICIALS - THOUSANDS SPREAD ABOUT RWANDA -- WHOSE ONLY TRAINING HAS BEEN ACQUIRED ON-THE-JOB AND WHO THEREFORE RELY MAINLY ON TRADITION AND CUSTOM IN REACHING JUDGMENTS.

2. MOST OF RWANDA'S FIRST-INSTANCE JUDGES, FOR EXAMPLE, WERE PROMOTED TO THEIR JOBS AT INDEPENDENCE AFTER HAVING SERVED (AT BEST) AS COURT CLERKS OR POLICEMEN. AS POSITIONS WERE ORIGINALLY ELECTIVE, MANY LACKED EVEN THIS PASSING ACQUAINTANCE WITH THE LAW. DUE TO LACK OF TRAINING FACILITIES, ONLY A HANDFUL OF TRAINED CADRES HAVE TAKEN THEIR PLACE. EVEN AT TOP LEVELS OF JUDICIARY AND JUSTICE MINISTRY, PROFESSIONALLY-TRAINED JURISTS/LAWYERS ARE SCARCE AS HEN'S TEETH: THE ONLY TWO LAW SCHOOL GRADUATES NOW SERVING IN THE JUDICIARY BRANCH ARE PRESIDENT OF SUPREME COURT SEMINEGA AND ATTORNEY GENERAL KAVARUGANDA.

3. I RECENTLY LEARNED OF A WORTHY PLAN TO CORRECT THIS LACUNA -- A PLAN ORIGINATED BY BELGIANS SHORTLY AFTER INDEPENDENCE BUT WHICH QUICKLY LAPSED FOR LACK OF FUNDING AND TEACHERS: EXISTING JUDGES AND PUBLIC MINISTRY OFFICERS WERE TO BE "RECYCLED," IN GROUPS OF 40 OR SO, IN SHORT-TERM TRAINING SESSIONS DESIGNED TO PROVIDE WORKING FAMILIARITY WITH WRITTEN LAW AND ELEMENTAL LEGAL PROCEDURES. A RATHER DILAPIDATED CENTER NOW EXISTS FOR THIS LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 KIGALI 01632 081740Z

PURPOSE ADJACENT TO SUPREME COURT BUILDING AT NYABISINDU, SOME THREE HOURS FROM KIGALI, BUT PROGRESS IN "RECYCLING" PERSONNEL IS PROCEEDING AT GLACIAL RATE DUE TO INADEQUATE FACILITIES, MATERIALS, PERSONNEL, AND FINANCING.

4. BOTH SUPREME COURT PRESIDENT AND ATTORNEY GENERAL ARE PUSHING HARD TO GET PROGRAM MOVING AGAIN, AND THEY ARE GETTING A TOP-LEVEL HEARING FROM A GOVERNMENT SENSITIVE TO HUMAN RIGHTS CRITICS. JUSTICE MINISTER HABIMAN HAS URGED ESTABLISHMENT OF A MODERN CENTER AT KIGALI (WHERE MOST TRAINED LAWYERS AND POTENTIAL TEACHERS QORK IN GOVT OFFICES) FOR UPGRADING MAGISTRATES AND EVENTUALLY OTHER JUDICIAL PERSONNEL -- PROSEKUTORS, COURT CLERKS, JUDICIAL POLICE, PRISON WARDENS, ETC. AS ALWAYS, HOWEVER, PROBLEM IS ONE OF FINANCING: HABIMANA ESTIMATES PROPER FACILITIES WOULD COST ABOUT A HALF-MILLION DOLLARS TO BUILD AND EQUIP (DORMITORY, CLASSROOMS, LIBRARY, REFECTORY, FURNITURE). I SUSPECT IT WOULD COST A BIT MORE.

5. IN MY CONVERSATION WITH HIM NOV 21, PRES. HABYARIMANA RAISED THIS PROJECT IN HUMAN RIGHTS CONTEXT AND ASKED WHETHER USG, WITH ITS KEEN INTEREST IN HUMAN RIGHTS,

WOULD BE PREPARED TO FINANCE IT. I PROMISED TO INVESTIGATE AND HAVE SINCE RECEIVED FROM MIN JUSTICE SOME GENERAL DRAWINGS AND COST ESTIMATES, PLUS A PROMISE TO PROVIDE MORE DETAILS ON HOW THE CENTER WOULD OPERATE.

6. FROM WHAT I'VE SEEN AND HEARD SO FAR, PROJECT SEEMS TO ME TO FALL NEATLY INTO HUMAN RIGHTS CONTEXT AND TO AFFORD US OPPORTUNITY TO DO SOMETHING VERY SPECIFIC TO ADVANCE HR CAUSE IN RWANDA. OUR PARTICIPATION WOULD SERVE TO DEMONSTRATE TANGIBLY THAT WE BELIEVE IN OUR HUMAN RIGHTS RHETORIC AND ARE PREPARED TO SUPPORT A GOVT TRYING TO DO RIGHT IN THIS REGARD, IN FACE OF SERIOUS DOMESTIC HUMAN RIGHTS PROBLEMS. DEPT WILL RECALL THAT KIGALI'S HR ACTION PLAN (REFTEL PARA 3-D.) CALLED FOR SUPPORTING LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 KIGALI 01632 081740Z

PRECISELY THIS SORT OF INITIATIVE.

7. RWANDANS, INCLUDING ATTORNEY GENERAL, HAVE ALSO POINTED OUT IMPORTANCE OF A TRAINED JUDICIARY TO ORDERLY ECONOMIC DEVELOPMENT, WHICH REQUIRES STABLE INSTITUTIONS AND COHERENT APPLICATION OF LAWS, REGULATIONS, PROCEDURES. ALTHOUGH PROJECT DOES NOT FIT EXACTLY INTO MANDATED AREAS OF OUR PRESENT DEVELOPMENTAL PROGRAM HERE, I CANNOT IMAGINE THAT IT WOULD BE FAULTED ON THESE GROUNDS. MOREOVER, I UNDERSTAND THERE ARE AID CENTRAL FUNDS SET ASIDE ESPECIALLY FOR HR-RELATED ACTIVITIES.

8. ACTION REQUESTED: PLEASE ADVISE ASAP WHAT POSSIBILITIES EXIST FOR OUR SUPPORTING A RWANDAN "NATIONAL JUDICIARY TRAINING CENTER," WHAT ADDITIONAL INFO IS NEEDED, AND WHAT PROCEDURES WE SHOULD FOLLOW. FOR ALL SORTS OF REASONS, I BELIEVE THIS IS AN OPPORTUNITY WE SHOULD GRASP QUICKLY.

9. CDO CONCURS.
CRIGLER

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PERSONNEL TRAINING, HUMAN RIGHTS, PROGRAMS (PROJECTS)
Control Number: n/a
Copy: SINGLE
Sent Date: 02-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977KIGALI01632
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770457-0081
Format: TEL
From: KIGALI JOINT
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197712101/aaaadhnd.tel
Line Count: 157
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 3bd8cefb-c188-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 KIGALI 879
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 08-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 105729
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS : TRAINING RWANDANS TO ADMINISTER THE LAW
TAGS: SHUM, RW
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/3bd8cefb-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009